

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

12-CR-311-A

KENNETH GRAHAM,

Defendant.

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**STATEMENT OF THE GOVERNMENT**  
**WITH RESPECT TO SENTENCING FACTORS**

**PLEASE TAKE NOTICE**, that the government hereby adopts all findings of the Presentence Report with respect to sentencing factors in this action.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three (3) business days prior to sentencing.

The defendant is required by 18 U.S.C. § 3013 to pay the sum of \$300.00 at the time of sentencing. Immediately after sentencing, the defendant must pay the amount due by personal check, cashier's check or certified funds to the United States District Court Clerk.

It is requested that the Court order that all financial obligations be due immediately. In the event the defendant lacks the ability to immediately pay the financial obligations in full,

it is requested that the Court set a schedule for payment of the obligations.

In the event present counsel for the defendant will continue to represent the defendant after sentencing in regard to the collection of unpaid financial obligation(s), it is requested that a letter so advising be sent to:

Asset Forfeiture/Financial Litigation Unit  
U.S. Attorney's Office WDNY  
138 Delaware Avenue  
Buffalo, New York 14202

If a letter is not received within 10 days of sentencing, the defendant will be directly contacted regarding collection of the financial obligation(s).

DATED: Buffalo, New York, May 1, 2013.

Respectfully submitted,

WILLIAM J. HOCHUL, JR.  
United States Attorney

BY: S/Robert C. Moscati  
ROBERT C. MOSCATI  
Assistant U.S. Attorney  
United States Attorney's Office  
Western District of New York  
138 Delaware Avenue  
Buffalo, New York 14202  
716/843-5869  
robert.c.moscati@usdoj.gov

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 1, 2013, I electronically filed the **STATEMENT OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS** with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following participants on this case:

1. Michael S. Deal, Esq.
2. Lindsay M. Maza  
U.S. Probation Officer

S/Diane E. Carlsen  
DIANE E. CARLSEN  
Legal Assistant